

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of  
Inventor(s): HENSHAW



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#14  
7/5/01

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Series Code ↑ | ↑ Serial No.

Group Art Unit: 1619

Filed: September 10, 1999

Examiner: Harrison

Title: RODENTICIDE

Atty. Dkt. P 254839 | DELMAR-1  
M# | Client Ref

Date: June 19, 2001

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Sir:

Please accept the enclosed certified copy(ies) of the respective foreign application(s) listed below for which benefit under 35 U.S.C. 119/365 has been previously claimed in the subject application and if not is hereby claimed.

<u>Application No.</u>	<u>Country of Origin</u>	<u>Filed</u>
9606483.7	Great Britain	March 27, 1996

Respectfully submitted,

Pillsbury Winthrop LLP  
Intellectual Property Group

1600 Tysons Boulevard

McLean, VA 22102  
Tel: (703) 905-2000  
Atty/Sec: PNK/MAH

By Atty: Paul N. Kokulis Reg. No. 16773  
Sig: [Signature] Fax: (703) 905-2500  
Tel: (703) 905-2118



INVESTOR IN PEOPLE



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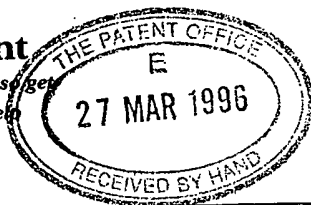
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# Request for grant of a patent

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29MAR96 E184357-1 003513  
P01/7700 25.00

The Patent Office

Cardiff Road  
Newport  
Gwent NP9 1RH

## 1. Your reference

DELMAR

## 2. Patent application number

(The Patent Office will fill in this part)

9606483.7

27 MAR 1996

## 3. Full name, address and postcode of the or of each applicant (underline all surnames)

DELMAR PRODUCTS LTD  
42A BARNSTAPLE RD.  
THORPE-BAY  
SOUTHEND-ON-SEA  
ESSEX SS1 3PA 6962674001  
UK

Patents ADP number (if you know it)

If the applicant is a corporate body, give the country/state of its incorporation

## 4. Title of the invention

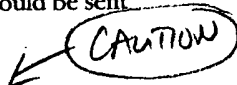
RODENTICIDE

## 5. Name of your agent (if you have one)

R. G. V. DOBLE

"Address for service" in the United Kingdom to which all correspondence should be sent (including the postcode)

38 Spring Street  
London W2 1SA



212 RADNOR HOUSE  
93-97 REGENT ST.  
LONDON  
W1R 7TD

12.4.00

RD Patents  
Designs Copyright  
42 Darnall Rd  
Ealing W13 8RE

Patents ADP number (if you know it) 04604941001

5957832002

7876048001

## 6. If you are declaring priority from one or more earlier patent applications, give the country and the date of filing of the or of each of these earlier applications and (if you know it) the or each application number

Country

Priority application number  
(if you know it)

Date of filing  
(day / month / year)

## 7. If this application is divided or otherwise derived from an earlier UK application, give the number and the filing date of the earlier application

Number of earlier application

Date of filing  
(day / month / year)

## 8. Is a statement of inventorship and of right to grant of a patent required in support of this request? (Answer 'Yes' if:

- a) any applicant named in part 3 is not an inventor, or
- b) there is an inventor who is not named as an applicant, or
- c) any named applicant is a corporate body.

See note (d))

YES

## Patents Form 1/77

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Continuation sheets of this form

-

Description

6

Claim(s)

-

Abstract

-

Drawing(s)

-

10. If you are also filing any of the following, state how many against each item.

Priority documents

Translations of priority documents

Statement of inventorship and right to grant of a patent (Patents Form 7/77)

Request for preliminary examination and search (Patents Form 9/77)

Request for substantive examination (Patents Form 10/77)

Any other documents (please specify)

11.

I/We request the grant of a patent on the basis of this application.

Signature

R. DOBLE

Date

27. 3. 86

R. G. V. DOBLE

AGENT FOR THE APPLICANTS

12. Name and daytime telephone number of person to contact in the United Kingdom

R. DOBLE

Tel: 0171-287-4888

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Rodenticide

The present invention relates to rodenticides.

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It has unexpectedly been discovered that the cellulosic material obtainable from the core of the cob of a certain hybrid of maize (*Zea mays*, known as corn in the USA) is toxic to rodents but not to humans.

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This hybrid is known as DK 446 and is obtainable from Dekalb Plant Genetics (3100 Sycamore Rd, DeKalb, IL 60115 USA). It normally grows to a height of 2.7 to 3.3 metres (9 to 11 feet) and normally has a single giant ear of corn. It is commonly grown for use as cattle feed.

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Accordingly in one aspect the invention provides a rodenticide comprising rodenticidal material obtainable from the core of the cob of maize hybrid DK 446.

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The cellulosic material obtained from the core of the cob of the above hybrid has been analysed and has been found to consist of essentially pure  $\alpha$  cellulose, which is the naturally occurring form of cellulose.  $\alpha$  cellulose is generally recognised as a safe food additive with essentially no toxicity to humans and domestic animals.

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Without wishing to be bound by theory, it is believed that rats and mice lose body fat and adipose tissue by excretion in the faeces and urine after eating the above cellulosic material, and eventually starve to death.

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Accordingly, in another aspect the invention provides a rodenticide comprising cellulosic material which is non-toxic to humans but which causes rodents to excrete body fat and/or adipose tissue.

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It is believed that the different effects on rodents and humans may be due to their different digestive systems, but the precise mode of action of the above rodenticidal material is currently unknown.

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Other hybrids similar to the above DK 446 hybrid (especially maize hybrids characterised by normally growing to a height of 2.7 to 3.3 metres (9 to 11 feet) and

by normally having a single giant ear of corn) are envisaged to be useful sources of identical or similar cellulosic rodenticidal material which is also usable in rodenticides in accordance with the invention. Furthermore hybrids DK 401, DK 442, DK 512, DK 560, DK 588, DK 591, DK 604, DK 628, DK 634 and DK 512wx, all obtainable from Dekalb Plant Genetics, are envisaged to be useful sources of identical or similar rodenticidal material.

Preferably the rodenticide of the present invention incorporates or is associated with a bait attractant such as a sweet material, eg ground sugar beets or unrefined ("black strap") molasses, although any conventional bait attractant can be employed.

The cellulosic material can be obtained by tumbling the cob of a hybrid of the above DK 446 hybrid (although it is envisaged that similar hybrids eg hybrids DK 401, DK 442, DK 512, DK 560, DK 588, DK 591, DK 604, DK 628, DK 634 and DK 512wx are also useful) to remove the reddish-brown outer layer, separating the outer layer material from the white hard core material of the cobs, and crushing the white core material, eg to the consistency of sawdust. The resulting powdered white hard core material is then preferably mixed with the bait attractant (eg unrefined molasses or ground dehydrated sugar beets). Preferably the bait attractant comprises 0.3% to 5%, more preferably 1% by weight of the mixture. The mixture is then preferably extruded eg at 30 to 1,000MPa, preferably 324 MPa (47,000 psi) and the extrudate (which is eg of circular cross-section, with a diameter of eg 4 to 12mm, preferably 10mm diameter) can then be cut into pellets with a length of eg 10 to 30mm, preferably 25mm.

The above method of preparation can be varied however. For example the bait attractant could be coated on the extrudate or pellets instead of or in addition to being incorporated in the mixture before extrusion. Accordingly the invention also encompasses any rodenticide comprising cellulosic material (preferably the white hard core material) obtainable from the cob of any of the above hybrids (preferably DK446, but possibly one or more of hybrids DK 401, DK 442, DK 512, DK 560, DK 588, DK 591, DK 604, DK 628, DK 634 and DK 512wx as well as any maize hybrids characterised by normally growing to a height of 2.7 to 3.3 metres (9 to 11 feet) and by normally having a single giant ear of corn).

In another aspect the invention provides a method of alleviating rodent infestation

(particularly infestation by rats and mice), the method comprising depositing in the region of infestation a rodenticide comprising cellulosic material (preferably the white hard core material) obtainable from the cob of any of the above hybrids (preferably DK446, but possibly one or more of hybrids DK 401, DK 442, DK 512, DK 560, DK 588, DK 591, DK 604, DK 628, DK 634 and DK 512wx as well as any maize hybrids characterised by normally growing to a height of 2.7 to 3.3 metres (9 to 11 feet) and by normally having a single giant ear of corn).

The invention also provides a method of making a rodenticide comprising the step of bringing into association a) a bait attractant and b) cellulosic material (preferably the white hard core material) obtainable from the cob of any of the above hybrids (preferably DK446, but possibly one or more of hybrids DK 401, DK 442, DK 512, DK 560, DK 588, DK 591, DK 604, DK 628, DK 634 and DK 512wx as well as any maize hybrids characterised by normally growing to a height of 2.7 to 3.3 metres (9 to 11 feet) and by normally having a single giant ear of corn).

The non-toxic nature of the rodenticide of the invention has in fact been proved in the following study involving the controlled administration of predetermined amounts of the rodenticide to rats:

#### Toxicity study

TEST ANIMALS: Sprague Dawley derived *Rattus norvegicus*

NUMBER AND SEX (in each group): 5 Male & 5 Female (females nulliparous and non-pregnant)

NUMBER OF GROUPS FOR LD<sub>50</sub>: 2

WEIGHT RANGE (at initiation) Male : 200-300 grams

Female: 200-300 grams

DIET: Standard laboratory feed for rodents; food and water were available *ad libitum*.

TEST MATERIAL AND DOSE LEVEL FOR LD<sub>50</sub>: finely ground white hard core cellulosic material, obtained from Dekalb maize hybrid DK 446, mixed with 1% by weight "black strap" molasses, the mixture being mixed with Tween 80<sup>®</sup>

at a 1:2 (w:v) concentration in a dose level of 5g/kg and 15.1g/kg for the respective groups.

FREQUENCY AND ROUTE OF ADMINISTRATION: Once every 24 hours for the 5g/kg dose level; at the 15.1g/kg dose level each animal was given a portion of its dose at two dosing points within approximately four hours. The doses were administered orally by syringe and suitable intubation tube.

STUDY PERIOD: 14 days

#### RESULTS

There were no mortalities in the 5g/kg dose level group. In the 15.1g/kg dose level group the animals that died immediately after dosing due to misdosing or anomaly from dosing were replaced. No mortality of surviving animals or replaced animals occurred during the study period.

All surviving animals in all dose groups had a weight gain by day 14, as exemplified in Table I below:

TABLE I

Dose group: 15.1g/kg

Rat	Sex	Initial Wt (g)	Final Wt (g)	%change in Wt
1	F	234	278	+44
2	F	224	264	+40
3	F	227	266	+39
4	F	224	260	+36
5	F	225	266	+41
6	M	246	351	+105
7	M	250	354	+104
8	M	267	382	+115
9	M	270	384	+114
10	M	230	356	+126



There were no clinical abnormalities in the 5.0g/kg group. clinical observations in the 15.1g/kg group included rales, lethargy, diarrhoea and anogenital staining.

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## CONCLUSION

The material did not produce compound-related mortality in half or more of the animals, even at a dose level of 15.1g/kg, and can therefore be considered practically non-toxic.

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### Efficacy Study

15 TEST ANIMALS: Sprague Dawley derived Rattus norvegicus

NUMBER AND SEX (in each group): 5 Male & 5 Female (females nulliparous and non-pregnant)

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NUMBER OF GROUPS: 1

25 WEIGHT RANGE (at initiation) Male : 115-125 grams  
Female: 115-125 grams

DIET: Standard laboratory feed for rodents; food and water were available *ad libitum*.

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TEST MATERIAL: Pellets obtained by extrusion of the finely ground white hard core cellulosic material from the hybrid used in the above toxicity study, mixed before extrusion with 1% by weight "black strap" molasses.

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FREQUENCY AND ROUTE OF ADMINISTRATION: The test material was placed in 113g (4 ounce) clear glass feeding jars for continuous *ad libitum* access to the food. Additional material was added daily and an equal quantity was given to each animal.

STUDY PERIOD: 14 days

## RESULTS

All animals died by day 7. On day 4, one female was found dead. On day 5, two

males were found dead and one female was found dead. On day 6, two males and two females were found dead. On day 7, one male and one female were found dead.

- 5 Clinical observations included dehydration, lethargy, diarrhoea, tremors, weight loss, hunching and soft light stool.

All animals had a daily weight loss, as illustrated in Table II below:

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TABLE II

Body weight data (g)

Rat	Sex	DAY 0	DAY 3	DAY 7
1	F	119	93	(found dead on day 6)
2	F	120	91	(found dead on day 5)
3	F	117	84	(found dead on day 4)
4	F	122	96	(found dead on day 7)
5	F	119	96	(found dead on day 6)
6	M	120	99	(found dead on day 6)
7	M	121	91	(found dead on day 5)
8	M	123	94	(found dead on day 5)
9	M	123	101	(found dead on day 6)
10	M	119	97	(found dead on day 7).

It is clear that when administered in a manner enabling free access, the test material has a powerful rodenticidal effect.

The invention also extends to a rodenticide comprising any material (particularly but not necessarily any material which is non-toxic at a controlled dosage level of up to 15g/kg per day) which is an agonist in rodents of that cellulosic white core material obtained from the DK 446 hybrid which is rodenticidal when administered in a manner enabling free access to rodents.

The invention extends to rodenticides comprising any of the cellulosic rodenticidal materials identified above, whether synthetic or obtained from natural sources.

**HENSHAW**  
**Serial No. 09/393,261**  
**Filed: September 10, 1999**  
**RODENTICIDE**

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